

## REJECT FILINGS ON STATE LAND

Bill Pending in Congress to Settle Controversy.

## SCHOOL FUNDS AFFECTED

Land Office Turns Down Filings of Settlers. State's Position Defined.

The hundreds of people in this part of the state who filed on the state land recently will be interested in an article which appeared in this morning's Helena Record-Herald. The article follows.

"Taking advantage of a legal tangle apparently placing in jeopardy state lands yielding a perpetual income of from \$5,000,000 to \$6,000,000 to the schools of Montana, professional locators, it is charged, are placing hundreds of settlers upon the state's reserve of half a million acres in the northern part of Sheridan and Valley counties. A bill is now pending in congress, however, to straighten this tangle and when it passes the claimants will be ejected.

The state court of Washington held that a state could not relinquish unsurveyed school land within forest reserves and take lands in lieu of it lying outside the reserve, unless it received for the relinquished lands the price fixed in the constitution. The general land office has always held that a state grant did not attach until the land was identified by a government survey. It was under this construction that the exchanges were made in Montana and the state received the lieu lands in northern Montana.

Because of the decision in the state of Washington, the general land office has declined to issue patents to lieu lands until the point has been passed upon by the supreme court of the United States, or until it has been cleared up by appropriate legislation. Bills are now pending in congress providing for the adjudication of state selections, and the state land board has adopted resolutions urging their passage.

The position of the state land board is set forth in the following statement made by Sidney Miller, register of the state land office:

"The movement in the northeastern part of the state by settlers going upon state lands is the result of a mistaken idea on the part of the settlers, aided and abetted by professional locators, who are working for a fee. These lands were selected by the state as indemnity school lands, in lieu of school lands that the state loses by reason of the creation of the national forest reserves. It was considered a better policy, both from the federal and state view point, to permit the federal authorities to have absolute jurisdiction in the administration of the national forest reserves. The state accordingly relinquished the unsurveyed school land in these reserves that for the most part are broken and mountainous, and of little value, and selected in lieu thereof desirable agricultural land. It was a good trade for the state.

"The question that has been raised by these locators, and their attorneys, is as to the authority of the state to relinquish such lands within the national forest reserves that would when surveyed, be school lands, and their position is based upon a decision of a local court in the state of Washington, and a state court in California and Idaho.

"These settlers have offered their filings at the local offices, and the same have been rejected. To keep their filings alive they have made appeal to the commissioner of the general land office at Washington, who in turn has sustained the register and receiver in rejecting their applications. In some cases appeal has been taken to the secretary of the interior, in the meantime these applicants, through their attorneys, have petitioned the state board of land commissioners to waive its rights to these selections that they might perfect their claim, but the board does not take kindly to these petitions.

"In the Scobey district, where bona fide settlement was made upon the lands withdrawn, under the application of the state for survey and such settlement was continued in good faith, with substantial improvements, the state land board, has waived its rights, and in this district alone, more than 200 claimants have been un-

rested in their possessions. The state has been very considerate and indulgent with this class of settlers, and it will resist to its utmost every effort that is made by these locators to take from the state any of its school land selections, which might mean a loss to the school children of the state of a perpetual income from five or six million dollars."

## LOWER COURT REVERSED

A decision of interest to the people of the city, has been handed down by Judge John J. Tattan, in the district court of the Twelfth Judicial district. The ruling sets aside the peace bond of \$2,500.00 imposed upon George F. Burke by L. P. Evans in the Justice Court here last fall. The Court held that Justice Evans was without jurisdiction to issue any warrant, as he lost jurisdiction when an affidavit was filed by Burke, disqualifying him. The decision also granted Burke judgment against Justice Evans for his costs and disbursements in the action.

## LOCAL BOYS WIN

The Glasgow High School track team scored two points at the annual inter-scholastic meet at Missoula last week. Helland scored these when he threw the javelin for fourth place in the finals.

Calvin Rogers brought additional honors home when he was awarded the second prize in the oratorical contest.

## SUNDAY SERVICE ON G. N. ORDERED

Northern Montana Towns Affected by Recent Decision.

Those towns in northern Montana who are now without train service of any kind on Sunday will be interested in the decision made Wednesday by the Montana railroad commission, ordering the Great Northern to furnish Sunday service within twenty days.

The complaints and protests of the towns whose service was affected by the new schedule which left them without any passenger trains on Sunday, caused the railway commission to give them a hearing, and the result of this was the order issued by the commission.

The order directs the Great Northern to operate local passenger trains each day daily between Mondak and G' row and between Havre and Glasgow, between Havre and Virden and between Moccasin and Lewistown.

Flag stops were ordered as follows: Trains Nos. 3 and 4 at Oswego and Nashua; train No. 4 at Dodson; train No. 2 at Saco to let off passengers from points south and west of Havre, and to pick up passengers for all points east of Glasgow; train No. 3 at Hinsdale and Warland.

Chairman Hall of the Commission, in a dissenting opinion, gave the following interview to the Helena Record-Herald.

"I concur in the order of the majority in this case, as far as it goes, but feel that in addition thereto, train No. 2 should stop at Harlem, Dodson, Hinsdale and Wolf Point to let off passengers from points west and south of Havre, and to pick up passengers for points east of Culbertson where said train stops."

The argument of the Great Northern that Montana is not entitled to Sunday local service because such service is not given in North Dakota or Minnesota is answered with figures obtained from the railroad commission of North Dakota, which compared with Montana figures, how the Great Northern earns \$571.23 more per mile on passenger travel in Montana than in North Dakota, while its freight earnings are \$1,496.58 greater per mile in this state than in Dakota.

Adding other figures, the commission shows that intrastate passenger earning of the Great Northern in Montana exceeds the Northern Pacific earnings in the sum of \$92,807.09, but on interstate passenger earnings the Northern Pacific exceeds the Great Northern in the sum of \$598,374.62.

"The obvious deduction of these comparisons," says the commission, "is that the defendant has a greater ticket purchasing population strictly intrastate, than the Northern Pacific. Most of these persons evidently have no choice of competitive routes. However, on interstate business where choice of routes exists to a much greater degree, the defendant does not get the passenger business. The defendant is itself responsible for this condition."

## COMMISSIONER PETER WEST IS VINDICATED

Attempt to Oust County Commissioner Proves Fizzle and Judge Throws Case Out of Court.

## GLENDIVE JUDGE PRESIDES IN CASE

Judge C. C. Hurley of Glendive Called in By Judge Utter to Take Charge of Hearing. Judge Rules Promptly at Conclusion of Arguments.

The much talked of case in which Peter Peterson brought charges against County Commissioner Peter A. West for collecting illegal fees came up for hearing in district court here last Friday morning. Judge F. N. Utter advised the attorneys that he had called in Judge C. C. Hurley of Glendive to take charge of case which he continued until one o'clock of that afternoon.

At the appointed hour the case was resumed with Judge C. C. Hurley presiding and a good part of the afternoon was taken up in arguments by the attorneys, immediately upon the conclusion of which, the judge ruled in favor of the defendant, Mr. West, holding that he had not collected illegal fees in connection with his office and dismissed the proceedings against him, remarking in his opinion, that cases of this nature were oftentimes brought more for the purpose of "getting even" than from a standpoint of the taxpayers' welfare.

Judge Hurley's decision was made directly from the bench immediately following the concluding arguments of the attorneys and leaves no room for doubt as to his opinion concerning the motives behind the case brought against Commissioner West. The decision follows:

"Well gentlemen, it occurs to me that the purpose of section 9006 first, was to prevent an officer from extorting from the public or anyone else, more fees than the law prescribed for the performance of some official act or not only to protect the public from extortion but also to prevent the officer from dealing fraudulently and it would seem to me that the word "fees" as used in that Section has a distinct meaning, separate and distinct from "salaries" or "compensation" or "emoluments", and while I don't know anything of the circumstances surrounding this case, or the motives back of the proceedings, I do know that that proceedings of this kind are instituted some times when they are not prompted by patriotic motives or any particular regard for the interest of the tax-payers but instituted more for the purpose of getting even, and it seems to me that this section should receive a strict construction and I am going to sustain the demurrer to the petition and also grant the Motion to Quash, and dismiss the proceeding."

## VANDALS AT FAIR GROUNDS

Since the buildings at the Fair grounds were locked up, someone has broken into the Secretary's office and stolen a pinch bar and post hole digger. Of course the parties who stole these things and destroyed the property at the fair grounds should remember that as taxpayers in Valley County they are only destroying property in which they hold an interest themselves, and they should be as willing to refrain from destroying and stealing material on the fair grounds, just the same as they would on their own property.

In speaking of these recent thefts and destruction of property, Secretary Moore said:

"The fair association will be put to considerable extra expense this year repairing the damages done by thoughtless persons since the fair closed last fall, and this extra expense will mean that much less money for the Association to use in premium money for farm products. "The use of the fair grounds by anyone desiring it will not be refused and if the parties will call at my office in the Commercial Club rooms, they can get the keys to the gate or any of the buildings that they might want to use. There is absolutely no occasion for breaking the locks off the doors or otherwise destroying the buildings on the grounds."

## PRIMARY EXPENSIVE

It cost Valey county approximately \$4.80 for each vote cast in the county at the recent presidential primary nominating election. From figures compiled in the clerk and recorder's office, it was shown that the expense of holding the election was \$3,365.83. A total of 701 votes were cast and this number divided into the total cost, makes the cost to the county for each vote approximately \$4.80. If all the 2700 voters who are registered had voted, the expense of the election would not have been any greater than it was, nor would the expense have been decreased had a less number of votes been cast.

## COL. COLEMAN INTERVIEWED

During his recent visit to Havre, Editor R. X. Lewis of the Havre Promoter cornered the Colonel and obtained an interesting interview from him. Mr. Lewis was formerly a resident of Glasgow, having been editor of the Valley County Gazette when Valley county was in its infancy. The article in the Promoter follows:

"Col. Eugene Coleman, the oldest active hotel man in northern Montana, proprietor of the Coleman House, Glasgow, for the past 25 years and an active leader and advisor of the cohorts of democracy during all that time in northern Montana, spent several hours in Havre yesterday.

"Time has dealt kindly with Col. Coleman. It has mellowed him slightly; made more kindly his disposition and reduced the hair-spring temper that once vibrated within him, but beyond this there were no obvious evidences that time had swept over him. During the course of his visit with the Promoter Col. Coleman said:

"Havre, like other towns of Northern Montana, has improved wonderfully within the past few years. I had the pleasure of driving over the city with my old friend Dr. Wright, and I was astounded at the changes that have occurred here since I last was in Havre.

"I think that Montanians at the great fair in California were as much surprised as any one at the showing made by our exhibits, especially in the realm of agriculture. The benefit the state will ultimately reap as a result is beyond calculation, but I anticipate that the large number of people who are now flocking into Montana to buy lands can be traced in a large measure to the exhibits maintained by the state at the California fairs.

"No I have nothing to say on politics. I am reticent in talking even with representatives of the Democratic press, and I violate no confidence in saying that any time I am quoted on politics in a Republican paper, the

interview sprang from the fecund imagination of a reporter whose shoulders were never galled with the yoke of truth."

## NEW COMPANY FORMED

Articles of Incorporation of the Cooper Impulse Motor Co. of Glasgow were filed at Helena this week, the incorporators being Geo. J. Cooper, T. A. Hauge, Sam Grosman, Harry Hess and B. P. Langen. Geo. J. Cooper is named as president of the new concern, T. A. Hauge, Vice President and B. P. Langen as Secretary-Treasurer. The company is capitalized at \$100,000, divided into shares of \$1 each.

Mr. Cooper, formerly in the employ of the Great Northern here has been working on a gasoline engine of the turbine type, which if perfected and practical will revolutionize the manufacture of engines. He has been working for several years on a model and last winter patented the principles which are used in the machine.

## BAND PRACTICING

The Glasgow band held their regular practice at the South Side school building Tuesday night. The boys were out in full force and a good showing was made. They are getting into shape for the big celebration at Opheim on the Fourth and other engagements during the summer. Anyone who plays any band instrument and desires to join the organization will be welcomed. Practices are held every Tuesday and Friday evening in the basement of the south side school house.

## SENIORS TO APPEAR IN CLASS PLAY

"The Taming of the Shrew" to be Presented by High School.

The Seniors, as part of their commencement exercises, will present at the High School Auditorium next Thursday evening, May 25, the "Taming of the Shrew." Having decided to give a Shakespearian production in honor of the Shakespeare tercentenary, they chose this laugh-provoking comedy as the proper vehicle for their efforts, and under the able direction of Miss Lind have been rehearsing daily for several weeks.

The play itself is not one of the most familiarly known of the list of Shakespeare's productions, but nevertheless it is one of the funniest. Baptista, a wealthy gentleman of Padua, has two daughters, the elder, Katherine is the shrew. She has a temper that is about as safe and pleasant to be near as a French powder factory full of German spies. Bianca, the younger, is quite all that could be desired, and has many secret lovers. Father, however, with his eye to the main chance, refuses to allow any of them to even call on Bianca until the vixenish Katherine is safely married.

Hortensio, one of the admirers, persuades a visiting friend Petruchio, to court the shrewish Katherine, so that the way may be open to Bianca. Petruchio thinks of the bankrupt that goes with Katherine, and deciding it will be easy money, starts in to tame the shrew. Every married man and prospective husband in Glasgow should be on hand to see how it is done. Calvin Rogers as Petruchio and Doris Green as the shrew take the leading parts.

As to Bianca, acted by Angie Illman, she is not as safely secluded as father Baptista thinks. Hortensio, in the guise of a music teacher, manages to get into the presence of his beloved, and incidentally into several scrapes. One of his rivals, Lucentio by name, disguises as a language teacher in order to gain admission to the home. As teachers in those days were slaves, he exchanges clothing and places with his servant Franio. The servant makes the most of his opportunity, and gets some sweet revenge upon his pseudo-servant, formerly master. There are many ludicrous situations.

Margaret Anderson, as the widow, finally captures one of Bianca's disappointed lovers. Ethel Pease takes the part of the tailor who furnishes some gowns that make considerable trouble just as in real life. Other parts are taken by underclass talent, as the Seniors are not quite numerous enough this year to handle it alone.

There will undoubtedly be a packed house to laugh with the actors.

For Rent—One furnished room.—640 South 5th Ave. 3tl

## GLASGOW WINS OPENING GAME

Fast Nashua Team Defeated by 9 to 5 Score.

## PLAY POPULAR ON SUNDAY

Both Teams Made Good Showing in Sunday's Game. Locals Have Good Pitching Staff.

The Glasgow baseball team started the 1916 baseball season with flying colors when it defeated Nashua last Sunday on the local grounds by a score 9 to 5.

Despite the cold weather and threatening showers, the local fans were out in force and both the grandstand and the bleachers were well filled and had the weather been favorable there is no doubt but what that a record crowd would have attended.

The showing made by the local team came up to the expectations of every fan who was present. While it was too cold for fast playing, and the fact that practice had been almost impossible on account of the weather, every player performed in good form. With the lineup Glasgow had Sunday, they will be able to cope on even terms with the strongest teams in this part of the state. Spaulding and Reynolds both showed class on the mound, and when they get going, they will make any team step some to beat them.

Several new players were in the Nashua lineup. Funk playing in right field and the Bland brothers are filling the gaps left by the players who did not return this season.

Puckett, the big right hander, opposed Spaulding and pitched the entire nine innings. He was touched up for nine hits, but his support wavered at times and the Glasgow sluggers found him for hits in the pinch.

After the fifth inning Spaulding retired and Lefty Reynolds went in. The little southpaw had the Indian sign on the Nashua boys and only one hit was garnered off him in the three innings he tossed the pill. Hocking pitched the last inning and retired the side on three infield hits, Jobst picking two out of the dirt and heaving them to first.

The receiving end was well taken care of by Hurly who showed mid-season form. He also responded with a nice hit when it was needed. Jobst played a nice game at the third sack, (Continued on page 12.)

## BOY CONFESSES MURDER

Ernest Arnold, of Bear Creek, a 15 year old boy has confessed to the murder of Charles Steiner, a bachelor rancher whose frozen body was found by neighbors January 13, in a bog pen near his cabin, twenty miles southeast of Red Lodge.

In his confession Arnold stated that he committed the crime unaided, shooting the rancher from ambush. The day following the murder he returned to the ranch and ransacked the pockets and the cabin of the dead man.

On March 13th, young Arnold was arrested on suspicion of having committed the crime. He had in his possession a .32 calibre rifle exactly answering the description of the one owned by the dead man. He said he got it in a trade on New Year's day, with a bohunk while he, the boy was out hunting with a rifle that he had borrowed a few days before from a shepherd.

At the preliminary examination on March 29th, Arnold was bound over to the district court on a charge of murder in the first degree, but on April 8th, he was released from custody on a writ of habeas corpus.

Later the boy confessed his guilt.

## TATTAN TO LEAVE G. N.

John J. Tattan, local agent for the Great Northern at this point has tendered his resignation to take effect June first, after which date Mr. Tattan will engage in business in this city for himself.

The above announcement will no doubt be a surprise to Mr. Tattan's friends in this part of the state. During the years that he acted as agent, he performed his duties in an efficient and able manner and gave excellent satisfaction to the patrons of the company.

His decision to enter business for himself will meet with the hearty approval of his friends and acquaintances, and the Great Northern will lose one of its most efficient and best men.